

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ORLANDO SCOTT MARTIN, JR.,

Plaintiff

v.

WASHOE COUNTY SHERIFF OFFICE,

et. al.,

Defendants.

Case No. 3:25-CV-00361-ART-CLB

**ORDER TO EITHER PAY FILING FEE OR
FILE COMPLETE APPLICATION TO
PROCEED *IN FORMA PAUPERIS***

I. DISCUSSION

On July 16, 2025, Plaintiff Orlando Scott Martin, Jr. ("Martin"), an inmate in the custody of the Nevada Department of Corrections ("NDOC"), submitted a civil rights complaint with the Court. (ECF No. 1-1.) Martin also submitted an application to proceed *in forma pauperis*, (ECF No. 1), however, the application is incomplete.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$405 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, this Court's approved form (i.e., pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate **and** a prison or jail official (i.e., page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period.**

Because Martin's application to proceed *in forma pauperis* is incomplete, it is denied, with leave to refile. The Court will grant Martin a **one-time** opportunity to file a

1 fully complete application to proceed *in forma pauperis* containing all three of the required
2 documents, or in the alternative, pay the full \$405 filing fee for this action on or before
3 . Absent unusual circumstances, the Court will not grant any further extensions of
4 time.

5 If Martin is unable to file a fully complete application to proceed *in forma pauperis*
6 with all three required documents or pay the full \$405 filing fee on or before **Monday,**
7 **September 8, 2025**, this case will be subject to dismissal without prejudice for Martin to
8 file a new case with the Court when Martin is either able to acquire all three of the
9 documents needed to file a fully complete application to proceed *in forma pauperis* or
10 pays the full \$405 filing fee.

11 A dismissal without prejudice means Martin does not give up the right to refile the
12 case with the Court, under a new case number, when Martin has all three documents
13 needed to submit with an application to proceed *in forma pauperis*. Alternatively, Martin
14 may choose not to file an application to proceed *in forma pauperis* and instead pay the
15 full filing fee of \$405 on or before **Monday, September 8, 2025** to proceed with this case.

16 **II. CONCLUSION**

17 For the foregoing reasons, **IT IS ORDERED** that Martin's incomplete application
18 to proceed *in forma pauperis*, (ECF No. 1), is **DENIED with leave to refile**.

19 **IT IS FURTHER ORDERED** that the Clerk of the Court will **SEND** Martin the
20 approved form application to proceed *in forma pauperis* by an inmate, as well as the
21 document entitled information and instructions for filing an *in forma pauperis* application.

22 **IT IS FURTHER ORDERED** that on or before **Monday, September 8, 2025**, Martin
23 will either pay the full \$405 filing fee for a civil action (which includes the \$350 filing fee
24 and the \$55 administrative fee) or file with the Court:

25 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
26 Court's approved form (i.e., pages 1 through 3 of the form with the inmate's two
27 signatures on page 3),

28 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail

1 official (i.e., page 4 of this Court's approved form), and

2 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
3 **previous six-month period.**

4 **IT IS FURTHER ORDERED** that, if Martin does not file a fully complete application
5 to proceed *in forma pauperis* with all three documents or pay the full \$405 filing fee for a
6 civil action on or before **Monday, September 8, 2025**, this case will be subject to
7 dismissal without prejudice for Martin to refile the case with the Court, under a new case
8 number, when Martin has all three documents needed to file a complete application to
9 proceed *in forma pauperis* or pays the full \$405 filing fee.

10 **IT IS SO ORDERED.**

11 **DATED:** July 25, 2025

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UNITED STATES MAGISTRATE JUDGE